

# Notice of Allowability

Application No.

09/656,678

Examiner

Bradley B. Bayat

Applicant(s)

HEIN ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on July 9, 2007.
2. ☒ The allowed claim(s) is/are 1-8, 10-17, 19 and 20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 7/9/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

Applicant's submission filed on July 9, 2007 has been entered.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on July 9, 2007 was filed after the mailing date of the NOA on April 9, 2007. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andy Spence on March 28 2007 and authorized on March 30, 2007.

The application has been amended as follows:

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1. (Currently Amended) A method of collaboratively identifying, prioritizing, and resolving issues affecting a series of similar complex systems, the method being implemented over a computer network and comprising:

assessing an impact of each of one or more issues affecting one or more systems in the series, the assessed impact of each issue having a quantitative value and including a combination of impacted human factors and impacted operations factors, wherein assessing an impact comprises assessing an impact including a combination of impacted human factors and impacted operations factors that each have an associated quantitative value, the value of the assessed impact being the sum of the values of the factors;

receiving the issues for posting on a discussion-capable electronic media, the issues being received by a manufacturer of, or one of a plurality of customers in possession of, the affected one or more systems;

receiving comments corresponding to the posted issues for posting on the electronic media after the respective posted issues, wherein for each issue, the issue and comments corresponding thereto are received by a manufacturer and one or more of a plurality of customers in possession of the affected one or more systems, or by a plurality of the customers, for collaboration with respect to the issue, and wherein one or more of the issues or comments corresponding to one or more of the issues includes the assessed impact of the respective one or more issues;

accessing the electronic media by a committee including representatives of the manufacturer and one or more of the customers, the electronic media being accessed for the committee to identify action issues from the posted issues at least partially based on the posted comments corresponding thereto, and for the committee to thereafter prioritize the action issues, the committee identifying and prioritizing the action issues at least partially based on the assessed impact of the respective one or more issues;

assigning an action issue by the committee to the manufacturer or one or more of the customers for conducting a resolution investigation thereon;~~and~~

receiving a resolution proposal for the assigned action issue resulting from the corresponding resolution investigation, the resolution proposal being accessible by the committee to evaluate the resolution proposal; and directing implementation of the resolution proposal for the evaluated action issue by the committee, directing implementation including the committee directing closure of the action issue upon completion of implementation of the resolution proposal, wherein the assigning an action issue, receiving a resolution proposal and directing implementation of the resolution proposal steps occur for each of a plurality of action issues at least partially based upon the priority determined by the committee.

2. (Previously Presented) A method according to Claim 1 wherein accessing the electronic media further includes identifying one or more rejected issues from the posted issues, and wherein the method further comprises storing the rejected issues for at least one of further monitoring or future reference.
3. (Previously Presented) A method according to Claim 1 wherein the assigning step further includes sending a set of resolution directions for conducting the respective resolution investigation, the directions including at least one of a suggested cost for resolving the issue, or a criteria for designating the action issue as being resolved.
4. (Previously Presented) A method according to Claim 1 wherein the receiving an issue step comprises receiving a non-safety issue.
5. (Currently Amended) A system for collaboratively identifying, prioritizing, and resolving issues affecting a series of similar complex systems, the system being implemented over a computer network and comprising:  
a computer device configured to communicate over the computer network with a manufacturer of the series, a plurality of customers in possession of systems in the series, and a

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committee including representatives of the manufacturer and one or more of the customers, wherein the computer device comprises:

a first processing portion configured for receiving an assessment of an impact of each of one or more issues affecting one or more systems in the series, the assessed impact of each issue having a quantitative value and including a combination of impacted human factors and impacted operations factors, wherein the first processing portion is configured for receiving an assessment of an impact including a combination of impacted human factors and impacted operations factors that each have an associated quantitative value, the value of the assessed impact being the sum of the values of the factors;

a second processing portion for receiving the issues for posting on a discussion-capable electronic media,

wherein the second processing portion is also configured for receiving comments corresponding to the posted issues for posting on the electronic media after the respective posted issues, wherein for each issue, the issue and comments corresponding thereto are received by the manufacturer and one or more customers, or by a plurality of customers, for collaboration with respect to the issue, and wherein one or more of the issues or comments corresponding to one or more of the issues includes the assessed impact of the respective one or more issues;

a third processing portion configured for the committee to access the electronic media, identify action issues from the posted issues at least partially based on the posted comments corresponding thereto, and thereafter prioritize the action issues, the committee identifying and prioritizing the action issues at least partially based on the assessed impact of the respective one or more issues;

a fourth processing portion configured for the committee to assign an action issue to the manufacturer or one or more of the customers for conducting a resolution investigation thereon;

a fifth processing portion configured for receiving a resolution proposal for the action issue resulting from the corresponding resolution investigation, the resolution

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proposal being accessible by the committee to evaluate the resolution proposal;  
and

a sixth processing portion configured for the committee to direct implementation of the resolution proposal, and direct closure of the action issue upon completion of implementation of the resolution proposal,

wherein the fourth, fifth and sixth processing portions are configured for each of a plurality of action issues based upon the priority determined by the committee.

6. (Previously Presented) A system according to Claim 5 wherein the second processing portion is further configured for the committee to identify one or more rejected issues from the posted issues, and configured to store the rejected issues for at least one of further monitoring or future reference.

7. (Previously Presented) A system according to Claim 5 wherein the fourth processing portion is further configured to send a set of resolution directions for conducting the respective resolution investigation, the directions including at least one of a suggested cost for resolving the issue, or a criteria for designating the action issue as being resolved.

8. (Previously Presented) A system according to Claim 5 wherein the issues comprise non-safety issues.

9. (Cancelled)

10. (Previously Presented) A system according to Claim 5 wherein the manufacturer comprises a manufacturer of a series of aircraft.

11. (Currently Amended) A method of collaboratively identifying, prioritizing, and resolving issues affecting a series of similar complex systems, the method being implemented over a computer network and comprising:

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assessing an impact of each of one or more issues affecting one or more systems in the series, the assessed impact of each issue having a quantitative value and including a combination of impacted human factors and impacted operations factors, wherein assessing an impact comprises assessing an impact including a combination of impacted human factors and impacted operations factors that each have an associated quantitative value, the value of the assessed impact being the sum of the values of the factors;

accessing a discussion-capable electronic media including, posted thereon, the issues and comments corresponding to the issues, wherein for each issue, the issue and comments corresponding thereto has been received for posting by a manufacturer and one or more of a plurality of customers in possession of the affected one or more systems, or by a plurality of the customers, for collaboration with respect to the issue, and wherein one or more of the issues or comments corresponding to one or more of the issues includes the assessed impact of the respective one or more issues;

identifying action issues from the posted issues at least partially based on the posted comments corresponding thereto;

prioritizing the action issues, wherein identifying and prioritizing the action issues comprise identifying and prioritizing the action issues at least partially based on the assessed impact of the respective one or more issues;

assigning an action issue to an assignee comprising the manufacturer or one or more of the customers, the assignee being responsible for developing a resolution proposal for resolving the respective action issue;

sending the action issue and an associated set of resolution directions to the assignee, the set of resolution directions including issue-closure criteria to be met by the resolution proposal for the action issue;

receiving a resolution proposal for the action issue from the assignee; ~~and~~

evaluating the resolution proposal for the action issue with respect to the issue-closure criteria; and

directing implementation of the resolution proposal for the evaluated action issue,  
including directing closure of the action issue upon completion of implementation  
of the resolution proposal,  
wherein the assigning, receiving, and directing steps occur for each of a plurality of  
action issues at least partially based upon the priority of the action issues, and  
wherein the accessing, separating, prioritizing, assigning, sending, receiving and,  
evaluating and directing steps are performed by a committee including  
representatives of the manufacturer and one or more of the customers.

12. (Previously Presented) A method according to Claim 11 wherein identifying action issues further includes identifying one or more rejected issues from the posted issues, and wherein the method further comprises storing the rejected issues for at least one of further monitoring or future reference.

13. (Previously Presented) A method according to Claim 11 wherein assigning the action issue comprises assigning the action issue to an assignee according to the priority determined by the committee.

14. (Previously Presented) A method according to Claim 11 wherein sending the action comprises sending the action issue with an associated set of resolution directions including at least one of an implementation cost or an implementation deadline to be met by the resolution proposal for the respective action issue.

15. (Previously Presented) A method according to Claim 11 wherein the manufacturer comprises a manufacturer of a series of aircraft, and wherein receiving an issue comprises receiving a non-safety issue.

16. (Previously Presented) A method according to Claim 11 further comprising requesting, by the committee, approval of the at least one issue-closure criteria associated with the action issue, from at least the customer, prior to assigning the action issue to the assignee.



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17. (Previously Presented) A method according to Claim 11 further comprising obtaining, by the committee, a commitment from at least the customer to implement a resolution proposal to the action issue meeting the at least one issue-closure criteria, prior to assigning the action issue to the assignee.

18. (Cancelled)

19. (Previously Presented) A method according to Claim 11 further comprising directing implementation of the resolution proposal meeting the associated issue-closure criteria; and closing the action issue upon completion of implementation of the respective resolution proposal, wherein the directing and closing steps are also performed by the committee, and wherein the assigning, sending, receiving, evaluating, directing and closing steps occur for each of a plurality of action issues at least partially based upon the priority determined by the committee.

20. (Previously Presented) A method according to Claim 11 wherein the manufacturer comprises a manufacturer of a series of aircraft, and wherein sending the action issue comprises sending the action issue with an associated set of resolution directions including an implementation cost.

Claims 21-23 (Cancelled)

***Allowable Subject Matter***

Claims 1-8, 10-17, 19 and 20 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent claims 1, 5 and 11, the closest prior art of record, Hurd II (US Patent 6,222,535 B1) fails to disclose a system/method of collaboratively identifying, prioritizing, and resolving issues affecting a series of similar complex systems by assessing an impact of each of

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one or more issues affecting one or more systems in the series, the assessed impact of each issue having a quantitative value and including a combination of impacted human factors and impacted operations factors, wherein assessing an impact comprises assessing an impact including a combination of impacted human factors and impacted operations factors that each have an associated quantitative value, the value of the assessed impact being the sum of the values of the factors and directing implementation of the resolution proposal for the evaluated action issue by the committee, directing implementation including the committee directing closure of the action issue upon completion of implementation of the resolution proposal, wherein the assigning an action issue, receiving a resolution proposal and directing implementation of the resolution proposal steps occur for each of a plurality of action issues at least partially based upon the priority determined by the committee. Claims 2-4, 6-8, 12-17, 19 and 20 are dependent on claims 1, 5 and 11 and accordingly allowable as recited above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

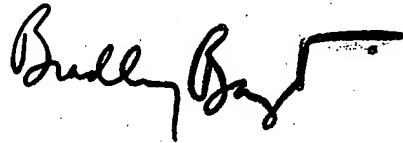
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley B. Bayat whose telephone number is 571-272-6704. The examiner can normally be reached on Tuesday-Friday 8 a.m.-6:30 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on 571-272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Bradley B. Bayat", with a stylized flourish at the end.

Bradley B. Bayat  
Primary Examiner  
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August 18, 2007